

LEO D. PLOTKIN (SBN 101893)
 LEVY, SMALL & LALLAS
 A Partnership Including Professional Corporations
 815 Moraga Drive
 Los Angeles, California 90049
 Telephone: (310) 471-3000
 Facsimile: (310) 471-7990
 Email: lplotkin@lsl-la.com
 Attorneys for Plaintiff
 PNC Equipment Finance, LLC

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

PNC EQUIPMENT FINANCE, LLC, a
 Delaware limited liability company, as
 successor to NATIONAL CITY
 COMMERCIAL CAPITAL CORPORATION,

Plaintiff,

vs.

CALIFORNIA FAIRS FINANCING
 AUTHORITY, a California joint powers
 authority; 49TH DISTRICT AGRICULTURAL
 ASSOCIATION, a state institution of the State
 of California; COUNTY OF MARIN, a
 political subdivision of the State of California;
 SONOMA COUNTY FAIR AND
 EXPOSITION, INC., a California corporation;
 and NAPA COUNTY FAIR ASSOCIATION, a
 California corporation,

Defendants.

Case No. CV 11-03768 JSC

STIPULATION TO CONTINUE INITIAL
 CASE MANAGEMENT CONFERENCE
 AND HEARING DATE ON MOTIONS;
 [PROPOSED] ORDER THEREON

Current Date: November 17, 2011
 Current Time: 1:30 p.m.
 Courtroom: F

[Proposed] Date: December 8, 2011
 [Proposed] Time: 1:30 p.m.
 Courtroom: F

1 This Stipulation is made by and between plaintiff PNC Equipment Finance, LLC
 2 ("PNCEF") by and through its attorney of record Leo D. Plotkin of Levy, Small & Lallas, A
 3 Partnership of Professional Corporation, and defendants California Fairs Financing Authority
 4 ("CFFA") and the 49th District Agricultural Association ("DAA"), by and through their attorney
 5 of record, Hal Reiland of Reiland/Law, County of Marin ("Marin County"), by and through its
 6 attorney of record Edward James Kiernan, Sonoma County Fair and Exposition, Inc. ("Sonoma
 7 County"), by and through its attorney of record Holly Elizabeth Rickett, and Napa County Fair
 8 Association ("Napa County"), by and through its attorney of record Donald Douglas Shureen of
 9 McMillan & Shureen LLP, with respect to the following facts:

10 1. The Initial Case Management Conference in the above-captioned matter currently
 11 is set for November 17, 2011, at 1:30 p.m.

12 2. Also set for hearing on November 17, 2011 at 1:30 p.m. are two motions filed by
 13 PNCEF to strike certain affirmative defenses asserted by, respectively, defendants Marin County
 14 and Sonoma County.

15 3. Defendants CFAA and DAA have filed a motion to dismiss the Complaint of
 16 PNCEF, currently set for hearing on December 8, 2011 at 9:00 a.m.

17 4. PNCEF anticipates filing a motion for a preliminary injunction against CFFA, and
 18 anticipates that it will set that motion for hearing on December 8, 2011 at 9:00 a.m.

19 5. The parties all agree that resolution of CFFA's motion to dismiss and PNCEF's
 20 preliminary injunction motion should, in the interest of judicial economy, be decided at the same
 21 time, or prior to, the Initial Case Management Conference.

22 NOW, THEREFORE, it is stipulated as follows:

23 1. The hearing on PNCEF's motions to strike affirmative defenses and on CFFA's
 24 motion to dismiss shall be continued to December 8, 2011 at 1:30 p.m.

25 2. The Initial Case Management Conference shall be continued to December 8, 2011
 26 at 1:30 p.m.

3. PNCEF's motion for preliminary injunction, which shall be timely filed, may be set for hearing on December 8, 2011, at 1:30 p.m.

DATED: October 31, 2011

LEO D. PLOTKIN
LEVY, SMALL & LALLAS
A Partnership Including Professional
Corporations

By: Leo D Plotkin
LEO D. PLOTKIN
Attorneys for Plaintiff
PNC Equipment Finance, LLC

DATED: October 31, 2011

HAL REILAND
~~REILAND/LAW~~

By: Hal Reiland
HAL REILAND
Attorneys for Defendants
California Fairs Financing Authority, and
49thth District Agricultural Association

DATED: October __, 2011

EDWARD JAMES KIERNAN

By: Edward James Kiernan
EDWARD JAMES KIERNAN
Attorneys for Defendant
County of Marin

DATED: October __, 2011

HOLLY ELIZABETH RICKETT

By: Holly Elizabeth Rickett
HOLLY ELIZABETH RICKETT
Attorneys for Defendant
Sonoma County Fair and Exposition, Inc.

DATED: October __, 2011

DONALD DOUGLAS SHUREEN

By: Donald Douglas Shureen
DONALD DOUGLAS SHUREEN
Attorneys for Defendant
Napa County Fair Association

27554

3. PNCEF's motion for preliminary injunction, which shall be timely filed, may be set for hearing on December 8, 2011, at 1:30 p.m.

DATED: October __, 2011

LEO D. PLOTKIN
LEVY, SMALL & LALLAS
A Partnership Including Professional
Corporations

By: _____

LEO D. PLOTKIN
Attorneys for Plaintiff
PNC Equipment Finance, LLC

DATED: October __, 2011


HAL REILAND
REILAND/LAW

By: _____

HAL REILAND
Attorneys for Defendants
California Fairs Financing Authority, and
49th District Agricultural Association

DATED: October 27, 2011

EDWARD JAMES KIERNAN

By: 
EDWARD JAMES KIERNAN
Attorneys for Defendant
County of Marin

DATED: October __, 2011

HOLLY ELIZABETH RICKETT

By: _____

HOLLY ELIZABETH RICKETT
Attorneys for Defendant
Sonoma County Fair and Exposition, Inc.

DATED: October __, 2011

DONALD DOUGLAS SHUREEN

By: _____

DONALD DOUGLAS SHUREEN
Attorneys for Defendant
Napa County Fair Association

27554

1 3. PNCEF's motion for preliminary injunction, which shall be timely filed, may be
2 set for hearing on December 8, 2011, at 1:30 p.m.

3 DATED: October __, 2011

LEO D. PLOTKIN
LEVY, SMALL & LALLAS
A Partnership Including Professional
Corporations

6 By: _____

LEO D. PLOTKIN
Attorneys for Plaintiff
PNC Equipment Finance, LLC

9 DATED: October __, 2011

HAL REILAND
REILAND/LAW

11 By: _____

HAL REILAND
Attorneys for Defendants
California Fairs Financing Authority, and
49th District Agricultural Association

15 DATED: October __, 2011

EDWARD JAMES KIERNAN

16 By: _____

EDWARD JAMES KIERNAN
Attorneys for Defendant
County of Marin

19 DATED: October 31, 2011

HOLLY ELIZABETH RICKETT

21 By: _____

HOLLY ELIZABETH RICKETT
Attorneys for Defendant
Sonoma County Fair and Exposition, Inc.

24 DATED: October __, 2011

DONALD DOUGLAS SHUREEN

25 By: _____

DONALD DOUGLAS SHUREEN
Attorneys for Defendant
Napa County Fair Association

27 27554

1 3. PNCEF's motion for preliminary injunction, which shall be timely filed, may be
2 set for hearing on December 8, 2011, at 1:30 p.m.

3 DATED: October __, 2011

LEO D. PLOTKIN
LEVY, SMALL & LALLAS
A Partnership Including Professional
Corporations

6 By: _____
 LEO D. PLOTKIN
7 Attorneys for Plaintiff
8 PNC Equipment Finance, LLC

9 DATED: October __, 2011

HAL REILAND
REILAND/LAW

11 By: _____
 HAL REILAND
12 Attorneys for Defendants
13 California Fairs Financing Authority, and
14 49thth District Agricultural Association

15 DATED: October __, 2011

EDWARD JAMES KIERNAN

16 By: _____
 EDWARD JAMES KIERNAN
17 Attorneys for Defendant
18 County of Marin


19 DATED: October __, 2011

HOLLY ELIZABETH RICKETT

21 By: _____
 HOLLY ELIZABETH RICKETT
22 Attorneys for Defendant
23 Sonoma County Fair and Exposition, Inc.

24 DATED: October ³¹__, 2011

DONALD DOUGLAS SHUREEN

25 By:  _____
 DONALD DOUGLAS SHUREEN
26 Attorneys for Defendant
27 Napa County Fair Association


28 27554

~~[PROPOSED]~~ ORDER

GOOD CAUSE APPEARING, AND THE PARTIES HAVING SO STIPULATED, IT IS
HEREBY ORDERED:

1. The hearing on PNCEF's motions to strike affirmative defenses is hereby continued to December 8, 2011 at 1:30 p.m.
2. The hearing on CFFA's and DAA's motion to dismiss is hereby continued to December 8, 2011 at 1:30 p.m.
3. The Initial Case Management Conference is hereby continued to December 8, 2011 at 1:30 p.m.
4. PNCEF's motion for preliminary injunction, which shall be timely filed, may be set for hearing on December 8, 2011, at 1:30 p.m.

DATED: November 1, 2011



The Honorable Jacqueline S. Corley
United States Magistrate Judge

27554